

13. Placement in another state

The Interstate Compact on the Placement of Children (ICPC)

ICPC is a legally binding agreement between all 50 states and the District of Columbia. The Compact establishes the conditions that must be met before a child can be placed by one state into another state. The Compact ensures that the person, court or agency that places a child into the other state remains legally and financially responsible for the child. ICPC also provides for ongoing supervision of the placement by child welfare personnel in the receiving state.

A. Types of out-of-state placements covered by ICPC

- Any out-of-state substitute care placement of a child in child welfare’s legal custody is subject to ICPC provisions, except when a child leaves the state in order to be admitted to a hospital located in another state. This is extremely rare, and typically only happens when a child in a border community is in need of hospitalization, and the closest hospital is located across the border.
- Out-of-state placements covered by the Compact include, but are not limited to, placements with the following types of caregivers:
 1. Reunification with biological parents (unless the court grants custody to the parent without requesting further information on the parents’ ability to care for the child).
 2. Reunification with guardians (Refer to Chapter III, Reunification, for procedures to reunify a child with a parent or legal guardian living in another state.).
 3. Placement with relatives.
 4. Placement with foster parents.
 5. Placement with adoptive parent and
 6. Placement in residential treatment programs. ICPC applies when a child who already has been placed with an out-of-state family is subsequently placed with a different family in that state or with a family in any state other than Oregon.
- ICPC also applies when a child in the legal custody of child welfare moves with his or her caregiver to another state. This is true both for children who are in care in Oregon and for those who already have been placed out-of-state and then move with their substitute caregiver to another state. ICPC requirements are somewhat different in these instances. See subsection E of this section, “When a family moves out of state with a child in DHS’s legal custody”.

B. Prepare a referral packet for out-of-state placement

Procedure

- Upon identification of a prospective out-of-state caregiver, prepare an ICPC referral packet and submit the packet to CAF's central office ICPC Unit. It is not necessary to send a copy of the entire case file, only the pertinent information which the other state would need to assess whether the proposed placement resource is a good fit for the child(ren). The following is a list of the standard documents required for any ICPC referral (See appendices 4.8, 4.9, and 4.10 for samples and detailed instructions for completing the cover letter, CF 100A and CF 1044):
 1. Cover letter (CF100E).
 2. Interstate Compact on the Placement of Children Request (CF 100A).
 3. Interstate Compact Financial/Medical Plan (CF 1044).
 4. Court order indicating department custody of the child.
 5. Child history:
 - a. Adoption Child Summary (CF 421) if applicable.
 - b. Most recent court report.
 - c. Most recent Child Welfare Case Plan (CF 0333a, CF10e, and CF310h).
 - d. CPS assessment.
 - e. CANS screening.
 - f. Most recent psychological assessment (if available).
 - g. Most recent Early Intervention Report (if available).
 - h. Most recent School report/IEP/504 Plan (if available).
 - i. Important medical history and whether the child is currently receiving personal care services.
 6. Copy of birth certificate.
 7. Evaluation of Need for Residential Services (CF 97) for out-of-state residential care referrals only.
 8. Court order terminating parental rights or voluntary relinquishment of parental rights (if applicable).
 9. Copy of any existing Home Study of the prospective resource (if applicable).
- Sign the 100A, Section III, in the signature field labeled "Signature of Sending Agency or Person".
- The packet may be scanned and e-mailed to: Oregon icpc@state.or.us (in Groupwise under ICPC, Oregon), or may be mailed to the following address:

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Department of Human Services
Attn. ICPC, E-70
500 Summer St. NE
Salem, OR 97301

C. Preparation of packets when placing a sibling group out of state

Procedure

- When placing a sibling group with the same caregiver, it is not necessary to prepare a completely separate cover letter and packet for each child. However, some of the documents that comprise the packet must be individualized. There must be a separate form 100A and a separate form 1044 for each child. Include any other documents that are unique to a child, such as psychological assessments, medical history and birth certificates.
- Documents such as court orders and CF 0333a, which address the sibling group as a whole, are not copied separately for each child.
- When placing children within a sibling group with different out-of-state resources, complete separate packets for each child. Prepare complete sets of packets for each of the proposed placements and mail them in separate envelopes to the central office ICPC Unit.

D. When the child can move to the other state

- Child welfare cannot legally place a child in another state until the receiving state gives written approval of an ICPC placement request. ICPC approval is indicated by the ICPC placement request (Form 100A), signed by the appropriate authority in the other state. After the receiving state has given written approval, you can place the child any time within six months of the date of the approval.
- The receiving state will return the ICPC placement request (Form 100A) to the central office ICPC Unit and it is then forwarded to the caseworker along with a copy of the completed home study. If permission to place has been granted, the box in Section IV of Form 100A that indicates “Placement may be made” will be checked.
- Once an “approved” placement request has been received from the receiving state, arrangements may be made for the child to travel to his or her new substitute care

placement. The caseworker is responsible for making travel arrangements for the child to travel to his or her new substitute care placement out of state. See “ICPC Travel” below.

- If the box indicating “Placement shall not be made” is checked, it is not possible to place the child with the identified resource at this time, but a new placement request and accompanying referral packet may be submitted after six months from the date of the denial. Depending upon the circumstances, it may be possible to resubmit the request earlier than six months. Contact the Oregon central office ICPC Unit with questions about specific cases.
- Notice of the receiving state’s decision should always come to the caseworker from the central office ICPC Unit. If a copy of the home study or any other documentation is received directly from the receiving state, the caseworker should copy and immediately forward the information to the central office ICPC Unit.

E. When a caregiver moves out of state with a child in DHS’s legal custody

Procedure

- Prepare and submit an ICPC placement referral in the manner outlined above when a caregiver with a child in the legal custody of DHS moves from Oregon to another state, and child welfare desires to maintain the placement. This also applies when a child who already has been placed out of state moves with his or her caregiver to another state. Regardless of how long the child has resided with the caregiver, it is still considered to be a “new” ICPC placement when the caregiver moves to another state. This applies equally to children in the legal custody of DHS who move out of state with their substitute caregiver and those who move with their biological families. ICPC does, however, contain provisions that allow for a child to move to another state with his or her caregiver prior to the other state’s completion of a home study and approval of Oregon’s placement request. These types of placements are sometimes referred to as “Reg One” placements, after the applicable ICPC regulation. (Refer to Chapter III, reunification procedures.)
- If a child is moving to another state with a substitute caregiver, the referral packet must include a copy of the current Certificate of Approval and a copy of the most recent home

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study. After moving, the substitute caregiver will be required to meet the certification or licensing requirements of the other state. Once the receiving state has been notified, by receipt of a Form 100B from Oregon, that a child has physically moved with his or her substitute caregiver, the other state is required to make contact with the substitute caregiver within 30 days, and to assist the substitute caregiver in meeting the certification or licensing requirements in that state.

- As soon as the caseworker knows that a caregiver intends to move out of state, and it is agreed that it is in the best interests of the child to move with the substitute caregiver, prepare and submit the ICPC referral. The cover letter that accompanies the referral should clearly indicate that the placement request is for a child relocating to the other state with their caregiver.
- It is possible that, once a child in the legal custody of DHS moves with his or her caregiver to another state, the other state will not approve the placement. If this occurs, central office ICPC Unit will work with the caseworker and the child welfare authorities in the other state to explore available options for resolving the situation. It may be necessary to return the child to Oregon, if the other state cannot approve or license the caregiver.

F. When considering more than one out-of-state placement resource

Procedure

- Submitting more than one packet is permitted. However, it is advisable to limit the number of referrals by screening potential substitute caregivers prior to preparing the packet. Doing so will limit time and effort in both Oregon and the receiving state. If, however, more than one viable out-of-state resource is being considered, there is no prohibition against submitting more than one ICPC referral.

G. Timeline for the other state to make a decision on a placement request (See also "Priority placement requests" below)

Procedure

- The amount of time it takes another state to conduct a home study and to fully evaluate a placement request varies widely. Because of the degree of unpredictability, do not plan on a specific date for placement.
- If it is past 60 days and the other state has not yet given a placement decision, contact

the ICPC coordinator assigned to the case in the central office ICPC Unit. The ICPC coordinator will contact the receiving state's ICPC office to see if the delay can be resolved. In many instances delays can be addressed by direct communication between the caseworker and the worker with responsibility in the receiving state. The assigned ICPC coordinator may be able to obtain the contact information for the receiving state's worker and pass the information to the assigned caseworker in Oregon. Final approval for the placement, however, must be communicated in writing from the ICPC office in the receiving state to the CAF central office ICPC Unit.

H. Priority placement requests

- These are sometimes called “Reg Seven” requests, after the ICPC regulation that outlines the process for making and responding to priority requests. Some states are not able to accommodate priority placement requests; check with the Oregon central office ICPC unit for more information about specific states.

Procedure

- Include a court finding that the proposed placement is with a qualified relative (parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or guardian). The order also must include a finding that one or more of the following circumstances exists:
 1. The child is under 2 years of age.
 2. The child is in an emergency shelter placement.
 3. The child has spent a substantial amount of time in the home of the proposed placement resource.
- In addition to the documents that are part of a normal ICPC request, include a completed Form CF 0101. The first page of Form CF 0101 is designed to document the specific findings and to be signed by a judge. It fulfills the requirement for specific court findings. If the court is unable to make the required findings, it will not be possible to designate the referral as a priority request.
- Complete the second page of the CF 0101. It is reviewed and signed by the supervisor.
- Complete the ICPC referral packet assembled to accompany a priority placement request. The cover letter indicates why the referral requires priority processing. If the referral packet is incomplete, the receiving state will delay processing until the missing information is received.

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- Within three business days of the court order with the required findings, the caseworker sends the order to the central office ICPC Unit, along with all other required documents. The priority request will be reviewed and immediately forwarded via overnight mail to the receiving state's ICPC office. The child welfare authorities in the receiving state must decide within 20 business days of receipt whether to approve the priority request. The receiving state's ICPC office will send notification of the decision to the central office ICPC Unit, which will be forwarded via overnight mail to the caseworker who initiated the placement request. If, after 20 days, the caseworker has not been notified of the receiving state's decision, contact the central office ICPC Unit. The assigned ICPC coordinator will contact the ICPC office in the receiving state.
- When the proposed placement does not meet the criteria to be considered as a priority placement request, there still may be a legitimate and compelling need to obtain a decision from the receiving state as quickly as possible. If such a situation exists, explain the need for a quick decision in the cover letter and alert the assigned ICPC coordinator in the central office ICPC Unit. The ICPC coordinator can send the request to the receiving state via overnight mail. Without the court order and findings that are part of an "official" priority placement request, the receiving state is not required to respond within any specified timeframe. However, receiving states often are willing to expedite the process when they are made aware of circumstances that warrant a quick response.



ICPC makes a clear distinction between "visits" and "placements." A child in DHS custody may visit someone in another state without invoking the ICPC and without obtaining any other form of permission from the receiving state. This does assume, however, that child welfare, and the presiding court, are aware of and in support of the visit, have authorized out-of-state travel for the child, and the child is not subject to any travel restrictions by virtue of being on parole or probation through the criminal justice system.

I. Visits vs. placements

Procedure

- ICPC requires specific conditions in order to consider a stay in another state for a visit:
 1. Arrange an interstate visit with a clear end date when the child is scheduled to return to Oregon. If the visit does not have a clear end date, it is considered a placement and is subject to approval via the ICPC process before the child can travel.
 2. Do not arrange a visit longer than 30 days unless the visit begins and ends during a regularly scheduled extended school break (e.g., summer vacation can be up to 90 days). Even if a visit is less than 30 days, it should not extend beyond the period of a school break.
 3. Do not send a child to visit a prospective caregiver in another state while waiting for the prospective caregiver to be approved by the receiving state as a placement resource, unless the trip to visit the prospective caregiver is time-limited and has a date for the child to return to Oregon. If a placement request has been submitted and a visit is planned, please notify the assigned central office ICPC coordinator so that the receiving state can be informed.
 4. Obtain authorization for the child to travel out of state, and schedule and arrange return transportation prior to departure when a child visits out of state.

J. Placement in out-of-state residential treatment or therapeutic foster care programs

Procedure

In addition to being subject to ICPC, placements of children in residential treatment facilities or therapeutic foster care programs in other states cannot occur unless and until the caseworker consults with the CAF Residential Resource Consultant (RRC). This includes situations in which a child who already is placed out of state with a family requires placement in a residential or therapeutic foster care program. For more information on residential placement, see Reside Residential Placement Options.



K. Covering travel expenses

Procedure

Travel expense limits

- The cost of airfare is billed directly to the central office ICPC Unit by Azumano Travel Agency. All other travel expenses are reimbursed to the traveler at published per-diem limits for the area of the country where the placement resource is located. Per-diem limits can be found at the U.S. General Services Administration Web site <http://www.gsa.gov>, under the heading “E-tools.” Any car rental reservations should be made through Azumano Travel. All travel expenses must be pre-authorized, using the procedure detailed below, in order to be reimbursed by the central office ICPC Unit. Expenses in the following categories are reimbursable:
 1. Meals.
 2. Lodging for escort for one night, if total travel time exceeds 10 hours.
 3. Room tax.
 4. Airport parking.
 5. Car rental, if arranged through Azumano Travel.
 6. Fuel for rental car.
 7. Ground shipment of child’s belongings, if necessary.
 8. Automobile mileage, at the currently published reimbursement rate, when the escort for the child is someone other than a department employee and the escort transports the child using his or her personal vehicle. The actual amount of reimbursable mileage will be determined by the assigned ICPC coordinator before the start of travel.

The CAF central office ICPC Unit has defined parameters and funds available to cover travel expenses for out-of-state placements. The ICPC Unit covers the total cost of travel for a child, or group of children, and an escort. The ICPC Unit also can cover the cost of travel for a child, or group of children, and an escort to travel back to Oregon if an out-of-state placement ends.

L. Escorting a child to and from an out-of-state placement

Procedure

- Typically the assigned caseworker will escort the child to and from an out-of-state placement, but it is possible to have someone other than the caseworker escort the child. Others who may be considered as escorts include, but are not limited to:
 1. A child welfare employee other than the assigned caseworker;

2. A member of the family identified as the placement resource in the receiving state;
 3. A family member or other person with whom the child has a close relationship; and
 4. A substitute caregiver with whom the child is living or has lived, prior to transitioning to the out-of-state placement.
- If a child is old enough to travel alone, the local office may determine that an escort to or from an out-of-state placement is unnecessary.

M. Travel for pre-adoptive visits

Procedure

- After an out-of-state adoptive placement has been approved, but before the placement has actually occurred, the central office ICPC Unit may approve and pay for the identified adoptive parent(s) to travel to Oregon for a pre-adoptive visit with the child or children. Instead of the adoptive parents visiting the child, arrangements may be made for the child to visit the adoptive family in their state. In either instance, the ICPC Unit may approve and pay for travel expenses including up to five nights lodging.

N. Exceptions to travel limits

Procedure

- In rare instances circumstances may warrant authorization of additional travel expenses above limits. Document the anticipated extra expenses and the rationale for why they are necessary in an e-mail to the assigned ICPC coordinator. The ICPC coordinator will present the request for approval of additional travel expenses to the manager of the CAF Technical Assistance Unit, and a decision will be communicated back to the caseworker.

O. Make travel arrangements

Procedure

- Contact the ICPC coordinator in the central office ICPC Unit and inform the coordinator of the projected date of placement and the child's escort, if applicable.
- The ICPC coordinator will review with the caseworker the expenses that can be covered by the ICPC Unit, and will issue an ICPC Travel Authorization Number to the caseworker.

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The ICPC coordinator will fax or email a copy of the completed Interstate Compact Pre-Authorization for Travel Form (CF 1045) to the caseworker.

- Contact Azumano Travel Agency (1-800-289-2959) to make the travel arrangements.
- Provide the ICPC Travel Authorization Number to the Azumano Travel Agent to arrange flights and, if necessary, car rental. Lodging also can be arranged through Azumano or separately. Stay within the limits on reimbursable expenses documented on the CF 1045.
- Retain receipts for all pre-authorized travel expenses. The only exception is the cost of meals for child welfare employees, which are reimbursed on the per-diem schedule. It is the caseworker's responsibility to ensure that the escort is fully informed about the limits on reimbursement and about the need to retain all receipts.
- The automated DHS Travel Reimbursement Information Processing System (TRIPS) is not used to process travel claims for out-of-state travel authorized and paid for by the CAF central office ICPC Unit. After travel is completed, document all travel expenses on a DHS Travel Expense Claim Form (DHS 1297). If a non-employee escorted the child, complete or assist the escort in completing the DHS 1297. Meals for child welfare staff are reimbursed at published per-diem amount for the area of the country where travel occurred. Meals for any non-employee, including the child, are reimbursed according to the actual cost of the meal, not to exceed the published per-diem rate. The DHS 1297 must be signed by the person who will be reimbursed. If there is more than one child welfare employee traveling, a separate DHS 1297 must be completed for each employee. The child's meal expenses may be documented on the escort's DHS 1297. If there is more than one non-employee traveling, such as when two members of the same family escort children to an out-of-state placement, a single DHS 1297 may be completed to document the expenses of both escorts. The DHS 1297 and all required receipts are sent to the CAF central office ICPC Unit where the expense claim will be processed and a reimbursement check issued to the claimant.

Travel expenses beyond what is authorized by the CAF central office ICPC Unit

- When additional travel expenses are warranted above those approved by the CAF central office ICPC Unit, obtain local office funding sources. Any additional out-of-state travel expenses approved outside of the ICPC Travel Procedure must be approved, documented and reimbursed separately and in compliance with the regular DHS out-of-state travel process. An outline of this process can be found online at <http://www.dhs.state.or.us/admin/travel/os.htm>.

P. Monitor the placement

- Through the ICPC, states reciprocate in supervising the placement of children placed via the ICPC approval process. Most states do not provide supervision for placement of children who are placed in residential treatment, so another plan for face to face contacts may need to be developed.

Procedure

- When placement occurs, notify the CAF central office ICPC Unit immediately. The ICPC Unit will send the Interstate Compact on the Placement of Children Report on Child's Placement Status (CF 100B) form to notify the other state that the child has been placed and to request that courtesy supervision be provided. The form may be completed by the case worker or by the ICPC coordinator.
- It is common practice for case workers in the sending and receiving states to maintain direct contact through telephone or e-mail. Written supervision reports still should come through ICPC channels on at least a quarterly basis. If no report has been received, please contact the CAF central office ICPC Unit, and the coordinator will follow up with the other state to request a report.
- The sending state is responsible for the financial support of the child and the placement. This includes making foster payments, ensuring that a child in substitute care has medical coverage, and providing funding for services.
- The frequency of face-to-face contact with the child will depend on the receiving state's policy. Most states are required to have face to face contact with children every 30 days, but some have less frequent contact with children placed via ICPC. If the other state does not provide 30 day face to face contacts, document this in the case file.

Q. Close the ICPC case

- The ICPC case is closed:
 1. If the placement will not be used.
 2. If the child returns to Oregon.
 3. When the child emancipates.
 4. When child welfare custody ends.
- The ICPC requires that the appropriate authority in the receiving state concurs in writing

before the sending state dismisses their custody. This means that the receiving state needs to provide a written recommendation to finalize an adoption, establish a guardianship, or return custody to a parent when the child is placed via ICPC with the caregiver who will be assuming custody.

Procedure

- If seeking to dismiss child welfare custody by finalizing an adoption, establishing guardianship, or returning custody to a parent (when the child is placed via ICPC with the caregiver who will be assuming custody), ask the receiving state to send a written communication through ICPC channels. If there are challenges with obtaining that recommendation, contact the CAF central office ICPC Unit for assistance.
- To close the ICPC case, inform the CAF central office ICPC Unit. The ICPC Unit will need to send the INterstate Compact on the Placement of Children Report on Child's Placement Status (CF 100B) form to the other state. The form may be completed by the caseworker or by the ICPC coordinator.

S The Supervisor's Role

- Ensure that the caseworker is aware of and adheres to the requirements of ICPC when preparing to place children out of state.
- Direct the caseworker to begin the process as soon as possible after a prospective out-of-state caregiver has been identified.
- Ensure that out-of-state placements do not occur before ICPC approval has been obtained.
- Review the home study received from another state before a child is placed with an out-of-state resource.
- Ensure that the home study includes documentation of criminal background and CPS checks on the identified caregiver(s).
- If applicable, verify that the receiving state has provided written concurrence before child welfare custody is dismissed.
- Request on-site training for caseworkers in ICPC procedures when needed.



Legal references

- ORS 417.200

OAR/Policy I-B.3.4.2 Interstate Compact on the Placement of Children

http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b342.htm



Forms

- CF 100A
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0100A.doc
- CF 100B
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0100B.doc
- CF 100E
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0100E.doc
- CF 1044
http://dhsresources.hr.state.or.us/WORD_DOCS/CE1044.doc
- CF 0101*
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0101.doc
- DHS 1297
<http://dhsforms.hr.state.or.us/Forms/Served/DE1297.pdf>
- CF 1045 (Central Office Use Only)
- CF 421*
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0421.doc
- CF 85*
http://dhsresources.hr.state.or.us/WORD_DOCS/CE0085P.doc

* Needed as appropriate to the case